

Appn. Number:10/656,480 (Arlindo T. Jardin) Art Unit: 2855 Amnt. A contd. 4 of 13

## REMARKS

Applicant has amended all claims to define the invention more particularly and distinctly so as to overcome the rejections and define the invention patentably over the prior art.

### **The Claims Rejection Under 35 U.S.C 102(b)**

Claim 1 was rejected to under 35 U.S.C. 112(b) since it was said to be anticipated by Sopcisak (5,614,669).

Applicant requests reconsideration and withdrawal of this rejection since Sopcisak (5,614,669) claims a combination "Air Pressure Gauge Tool for measuring tire pressure and for accessing, removing, retaining, and replacing valve dust-caps..."

The Sopcisak (5,614,669) tool is designed for use on single mounted tire vehicles, such as passenger/private vehicles. The current invention is specifically designed for vehicles having dual-mounted tire arrangements such as trucks, trailers, buses, motor homes, heavy construction equipment, etc. The current invention facilitates access and removal of valve-stem caps on the inside dual-tire position and therefore is not anticipated by Sopcisak (5,614,669).

### **The Claims Rejection Under 35 USC 112.**

Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-5 are rejected as failing to define the invention in a manner required by 35 U.S.C.112.

Applicant has amended claims 2-5 to define the invention more particularly and distinctly so as to overcome the rejections and define the invention patentably over the prior art.

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Applicant requests reconsideration and withdrawal of the rejections.

### **EVIDENCE FOR FURTHER CONSIDERATION**

The applicant submits for further consideration the following arguments and Exhibits:

1. Since its introduction in the marketplace over 12, 940 units have been sold.
2. The invention is carried regularly by the largest truck stop in the country and listed in its catalog as well. (Exhibit A)
3. The invention is regularly carried by Speedco, Inc. a national chain of over 30 truck service shops. It is also used by the mechanics in their service bays.
4. The invention has been nationally advertised in several major industry publications.
  - a.) Movin' Out (Exhibit B)
  - b.) Land Line (Exhibit C)
  - c.) Roadstar (Exhibit D)
5. The invention has received professional recognition in several major industry publications:
  - a.) Fleet Owner (Exhibit E)
  - b.) Movin' Out (Exhibit F)
6. In the May 2005 issue of Land Line Magazine the invention was listed as one of the top twenty best new products at the 2005 Mid America Truck Show.

### **CONCLUSION**

For all of the above reasons, the applicant submits that the claims comply with Section 112, the claims define over the prior art under Section 112 since Sopcisak (5,614,669) claims a combination Air Pressure Gauge Tool designed for use on vehicles with single mounted tires and does not anticipate the accessing of valve-caps on vehicles with dual-mounted tire arrangements.

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Accordingly, the applicant submits that this application is in now in full condition for allowance, which action applicant respectfully solicits.

**CONDITIONAL REQUEST FOR CONSTRUCTIVE ASSISTANCE**

The applicant appreciates the assistance given by the Examining Officer. If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examining Officer pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully.



Arlindo T. Jardin

Enc: Exhibits A-F

34 Seaver Street

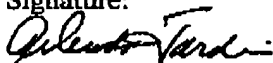
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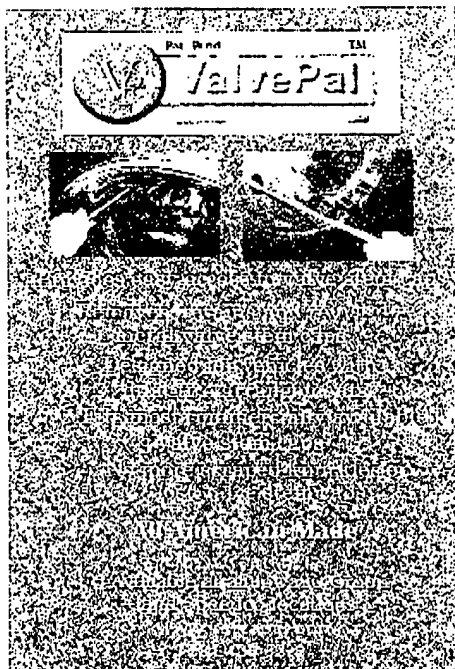
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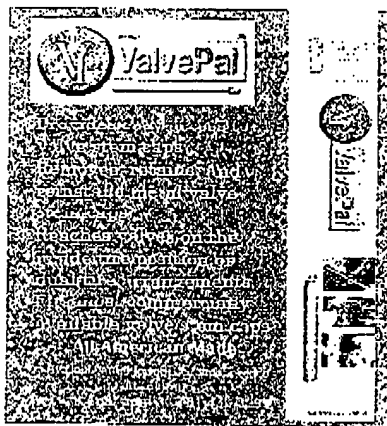
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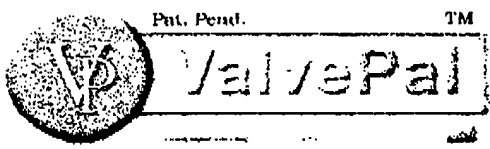
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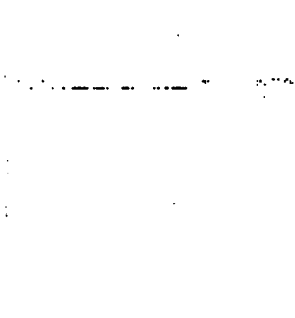
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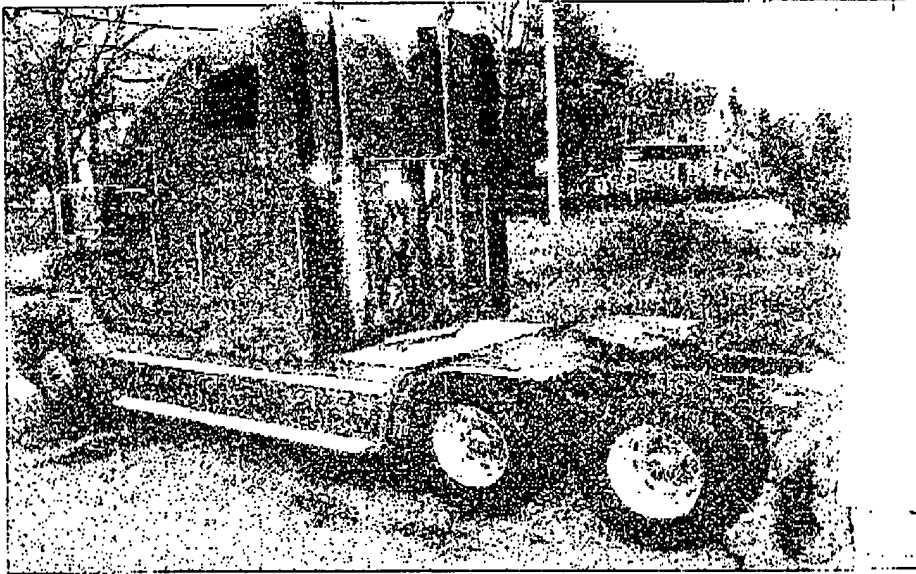
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## ValvePal - One Great Twist!



**Longhaulin' in his Freightliner gives AJ lots of time to think and when he's bored, he just turns on his tunes.**

between his driving and ValvePal. AJ runs I-80 a lot and when stopping is glad to give drivers a personal demonstration of ValvePal on his Freightliner. If you ask AJ about his stereo system, he might even rock your world and show you one of the most awesome sound systems ever installed in a truck.

For information about, or to order the ValvePal, log onto [www.valvepal.com](http://www.valvepal.com) or call 781-436-3292.

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just about all of the lower 48 states. He loves the long haul.

With all that time on the road how do you grow a business? Answer, business partner and significant other, Antoinette "Toni" Trotta. Toni has done the patent and trademark work as well as all of the design work for the ValvePal packaging, promotional materials and the truck show display graphics. Together AJ and Toni have built ValvePal's distribution network themselves. You can meet them at most of the major industry truck shows. They will be at the upcoming North American Truck Show in Boston at booth #338.

ValvePal is 100% American made. A philosophy that both

partners are strongly committed to. The choice to make ValvePal red, white, and blue is a symbol of that commitment as well as the decision to decline having ValvePal manufactured and/or packaged overseas.

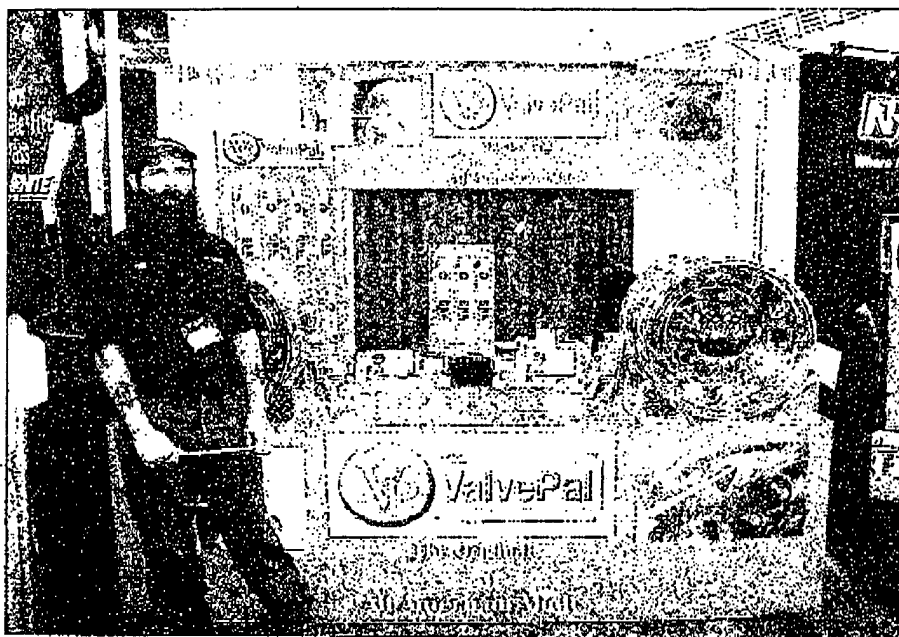
After a year on the market close to 9,000 ValvePal's have been sold. The distributor network has grown to over 100 locations that include truckstops, maintenance shops, chrome shops and truck washes. ValvePal retail distributors are welcome nationwide.

AJ is getting ready to launch another product, the ValvePal Core Remover. The ValvePal Core Remover is a valve core tool made from hardened stainless steel. The tip is designed to firmly grip the

valve core and hold it even during removal from a pressurized tire. The base is knurled to allow use by hand or with the ValvePal tool for service to the inner land on wheel. The ValvePal Core Remover is built to last, unlike conventional core removal tools. The best part is when you remove the valve core from a pressurized tire; the core will be stuck in the end of the ValvePal Core Remover, instead of flying across the shop. This product should be available sometime in April.

While inventing, developing, and marketing new products is taking up a lot of his time AJ said he will continue driving because he just plain loves what he does. He hopes in the future to be able to balance his time a little better

## ValvePal - One Great Twist!



Arlindo "AJ" Jardim, Professional Truck Driver and Inventor of the ValvePal.

by Steve Pollock, Publisher  
Stoughton, MA... About mid-2000, Arlindo Jardim ("AJ") bought a set of wheel balancers for his truck. AJ quickly found out that accessing the valve cap on the inner tire was now nearly impossible. Angry and frustrated, AJ, a long haul trucker, had plenty of time to think about the situation while running back and forth across the country. His answer to the problem was the ValvePal.

Although ValvePal is simple in its design, it was a time consuming effort to develop; from configuring just the right length, to finding the

right rubber compound to grip the valve cap. A lot of time was spent, designing, testing, and perfecting the final ValvePal --- a 15" long tool made of durable fiberglass, with a specially formulated rubber tip. ValvePal allows drivers to access their inner valve cap through the holes in the rim of the outer wheel.

ValvePal's special rubber tip grips the valve stem cap securely for removal and replacement. You will never drop your valve stem cap again and you can also get rid of your valve extenders, flow through

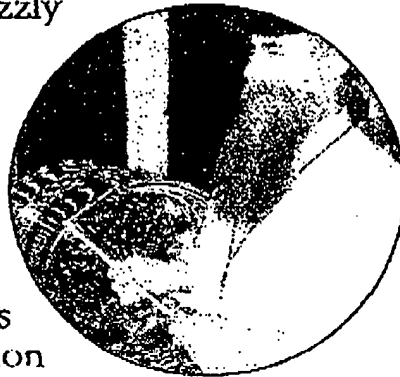
valve caps, and cats eyes. The real beauty of ValvePal is its simplicity, and priced at a little more than \$10, it is a tool every driver can afford to own. ValvePal works on nearly every type of valve stem cap.

AJ has been a professional driver for 32 years, 22 of those as an owner-operator. He has owned 7 trucks in that time and is currently leased to L.D.I. of Minneapolis, Minnesota. He runs mainly from Minnesota to the East Coast (he lives near Boston), but has trucked

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## *Beard of invention*

No, he's not a member of ZZ Top, nor the long-lost brother of Grizzly Adams. Arlindo Jardin is a[n] owner-operator out of Stoughton, MA, who's come up with a tool to ease a tricky, tedious, temper-flaring task—removing and re-attaching valve stem caps. His “Valve Pal” resulted from years of frustration dealing with the caps and the beard helps draw attention to his display at truck shows. To learn more, go to [www.valvepal.com](http://www.valvepal.com)



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**FLEET OWNER**

AUGUST 2004/ 95

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